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Food & Consumer Packaged Goods Litigation

Industry Insights: FDA Commissioner Scott Gottlieb Provides Comments on "Natural"

In a speech at the National Food Policy Conference today, FDA Commissioner Scott Gottlieb suggested that long-awaited guidance on the food and beverage industry's marketing use of the term "natural" may be on the horizon. Gottlieb's speech noted the more than 7,600 comments that landed at the FDA following its 2015 request for feedback on the "natural" label. Observing the "wide differences in beliefs regarding what criteria should apply for products termed 'natural,'" Gottlieb stated that the Agency's position would be science-based, aimed at ensuring truth in advertising. Last summer, the House Appropriations Committee issued a report directing the FDA to advise on actions it would undertake to move toward a definition of "'natural' so that there is a uniform national standard for the labeling claims and consumers and food producers have certainty about the meaning of the term." Since that report, no such plan has been forthcoming from the FDA, leaving courts to decide whether to stay pending litigation, continuing to wait for the FDA, or to allow litigants their day in court. Read the full speech [here](#).

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